

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

MARJORIE HELEN LEWIS and )  
Husband, RONALD LEWIS, )  
 )  
Plaintiffs, )

v. ) CIVIL ACTION NO: 2:12cv00115

)  
NEW ENGLAND COMPOUNDING )  
PHARMACY, INC. d/b/a NEW )  
ENGLAND COMPOUNDING CENTER, )  
AMERIDOSE, LLC, MEDICAL SALES )  
MANAGEMENT, INC., BARRY J. )  
CADDEN, GREGORY A. )  
CONIGLIARO, DOUGLAS A. )  
CONIGLIARO, LISA CONIGLIARO )  
CADDEN, CARLA CONIGLIARO, and )  
GLEN A. CHIN, )  
 )  
Defendants. )

**JOINT MOTION TO RESET INITIAL CASE MANAGEMENT CONFERENCE**

Plaintiffs Marjorie and Ronald Lewis and all Defendants other than New England Compounding Pharmacy, Inc. jointly move this Court to continue the initial case management conference in this matter, which currently is set for February 4, 2013 at 11:15 am CT in Cookeville, Tennessee (Dkt. No. 5).

As grounds for this motion, the parties state that responsive pleadings by Defendant Medical Sales Management, Inc. and the individually-named Defendants are not due until February 11, 2013, which is after the date on which the initial case management conference currently is set. Additionally, there is a hearing regarding this and other matters before the United States Judicial Panel on Multidistrict Litigation ("MDL Panel") on January 31, 2013. The MDL Panel may determine that the lawsuits currently pending around the country, including the

present action, should be transferred to one federal district for coordinated pretrial proceedings. It is anticipated that a transfer order will be entered by the MDL Panel to centralize this litigation.

The parties also submit that Defendant New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center recently filed a voluntary petition under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Massachusetts (Eastern Division), No. 12-19882-HJB. Pursuant to 11 U.S.C. §362(a), all actions against NECC are stayed.

Based on the foregoing, the parties jointly request that the Court continue the current initial case management conference until April 1, 2013.

Respectfully submitted,

By: s/ Robert E. Pryor  
Robert E. Pryor, Sr., B.P.R. No. 1999  
Pryor, Flynn, Priest & Harber  
Two Centre Square  
625 Gay Street, Suite 600  
Knoxville, Tennessee 37902  
(865) 522-4191  
jccaldwell@pfph-law.com

James P. Smith, Jr., B.P.R. No. 12253  
Bean, Smith, Burnett & Patton  
300 Thurman Avenue  
Crossville, Tennessee 38555  
(615) 484-7549  
cshadwell@bsbplaw.com

*Attorneys for Plaintiffs*

By: s/ Brigid M. Carpenter

Brigid M. Carpenter, B.P.R. No. 18134

Carrie W. McCutcheon, B.P.R. No. 24805

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC

Baker Donelson Center, Suite 800

211 Commerce Street

Nashville, Tennessee 37201

(615) 726-7341

bcarpenter@bakerdonelson.com

cmccutcheon@bakerdonelson.com

*Attorneys for Defendants Medical Sales Management,  
Inc., Barry J. Cadden, Gregory A. Conigliaro, Douglas  
A. Conigliaro, Lisa Conigliaro Cadden, Carla  
Conigliaro, and Glen A. Chin*

By: s/ James A Beakes

James A. Beakes, B.P.R. No. 24073

Butler, Snow, O'Mara, Stevens & Cannada, PLLC

1200 One Nashville Place

150 Fourth Avenue, North

Nashville, Tennessee 37219-3422

(615) 503-9120

jim.beakes@butlersnow.com

*Attorneys for Defendant Ameridose, LLC*

Date: January 30, 2013.

**CERTIFICATE OF SERVICE**

I, Brigid M. Carpenter, hereby certify that on this 30th day of January, 2013, the documents filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) as follows:

Robert E. Pryor, Sr.  
Pryor, Flynn, Priest & Harber  
Suite 600, Two Centre Square  
625 Gay Street  
P.O. Box 870  
Knoxville, TN 37901

James P. Smith, Jr.  
Bean, Smith, Burnett & Patton  
300 Thurman Avenue  
Crossville, TN 38555

James A. Beakes  
Butler, Snow, O'Mara, Stevens & Cannada, PLLC  
1200 One Nashville Place  
150 Fourth Avenue, North  
Nashville, TN 37219-3422

s/ Brigid M. Carpenter  
Brigid M. Carpenter